

HOUSE BILL NO. 42

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE STORY

Introduced: 2/18/21

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to allowable absences from the state for individuals serving in the**
2 **National Oceanic and Atmospheric Administration Commissioned Officer Corps and**
3 **the United States Public Health Service Commissioned Corps for purposes of permanent**
4 **fund dividend eligibility; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 43.23.008(a) is amended to read:

7 (a) Subject to (b) and (d) of this section, an otherwise eligible individual who
8 is absent from the state during the qualifying year remains eligible for a current year
9 permanent fund dividend if the individual was absent

10 (1) receiving secondary or postsecondary education on a full-time
11 basis;

12 (2) receiving vocational, professional, or other specific education on a
13 full-time basis for which, as determined by the Alaska Commission on Postsecondary
14 Education, a comparable program is not reasonably available in the state;

(3) serving on active duty as a member of the armed forces of the United States or accompanying, as that individual's spouse, minor dependent, or disabled dependent, an individual who is

(A) serving on active duty as a member of the armed forces of the United States; and

(B) eligible for a current year dividend;

(4) serving under foreign or coastal articles of employment aboard an oceangoing vessel of the United States merchant marine;

(5) receiving continuous medical treatment recommended by a licensed physician or convalescing as recommended by the physician who treated the illness if the treatment or convalescence is not based on a need for climatic change;

(6) providing care for a parent, spouse, sibling, child, or stepchild with a critical life-threatening illness whose treatment plan, as recommended by the attending physician, requires travel outside the state for treatment at a medical specialty complex;

(7) providing care for the individual's terminally ill family member;

(8) settling the estate of the individual's deceased parent, spouse, sibling, child, or stepchild, provided the absence does not exceed 220 cumulative days;

(9) serving as a member of the United States Congress;

(10) serving on the staff of a member from this state of the United States Congress;

(11) serving as an employee of the state in a field office or other location;

(12) accompanying a minor who is absent under (5) of this subsection;

(13) accompanying another eligible resident who is absent for a reason permitted under (1), (2), (5) - (12), **or (16) - (18)** [(16), OR (17)] of this subsection as the spouse, minor dependent, or disabled dependent of the eligible resident;

(14) serving as a volunteer in the federal peace corps program;

(15) because of training or competing as a member of the United States Olympic Team or a United States national team for an Olympic sport;

(16) participating for educational purposes in a student fellowship

sponsored by the United States Department of Education or by the United States Department of State;

(17) serving in the National Oceanic and Atmospheric Administration Commissioned Officer Corps or the United States Public Health Service Commissioned Corps;

(18) for any reason consistent with the individual's intent to remain a state resident, provided the absence or cumulative absences do not exceed

(A) 180 days in addition to any absence or cumulative absences claimed under (3) or (17) of this subsection if the individual is not claiming an absence under (1), (2), or (4) - (16) of this subsection;

(B) 120 days in addition to any absence or cumulative absences claimed under (1) - (3) or (17) of this subsection if the individual is not claiming an absence under (4) - (16) of this subsection but is claiming an absence under (1) or (2) of this subsection; or

(C) 45 days in addition to any absence or cumulative absences claimed under (1) - (17) [(1) - (16)] of this subsection if the individual is claiming an absence under (4) - (16) of this subsection.

* **Sec. 2.** AS 43.23.008(b) is amended to read:

(b) An individual may not claim an allowable absence under (a)(1) - (17) [(a)(1) - (16)] of this section unless the individual was a resident of the state for at least six consecutive months immediately before leaving the state.

* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. AS 43.23.008(a) and (b), as amended by secs. 1 and 2 of this Act, apply to qualification for a 2022 permanent fund dividend and thereafter.

* **Sec. 4.** This Act takes effect January 1, 2022.